

PTO/SB/64/(6-95)

PATENT  
Customer No. 22,852  
Attorney Docket No. 7607.0001-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Bassem R. MAHAFFSA**

Application No.: 09/736,850

Filed: October 5, 2000

For: METHODS AND SYSTEMS FOR  
IMPROVED EXTRACTION OF A  
SIGNAL FROM A NOISY  
ENVIRONMENT

Group Art Unit: 3662

Examiner: John B. Sotomayor

Commissioner for Patents  
Attn: Licensing and Review Branch  
Washington, DC 20231

Sir:

# PETITION FOR MODIFICATION OF A SECRECY ORDER

Pursuant to 37 C.F.R. § 5.5 and MPEP §120, COLSA Corporation (hereinafter "COLSA") hereby petitions for a modification to the Secrecy Order mailed March 26, 2002, related to the patent application referenced above. COLSA, assignee of the rights accruing under the above-referenced patent application, was informed that the subject application is now in condition for allowance, but that a Secrecy Order had been invoked pursuant to 35 U.S.C. §§ 181-188. COLSA respectfully petitions that the Secrecy Order be modified to permit commercialization of the technology disclosed in the subject application subject to certain procedural safeguards.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

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In accordance with 37 C.F.R. § 5.5(b), the reasons or purposes for the proposed disclosures are as follows:

1. Prior to the imposition of the Secrecy Order, COLSA had expended considerable effort and committed substantial resources and assets to define potential applications of the subject matter disclosed in the referenced patent application and the utility and feasibility of various implementations.

2. Analytical and empirical data obtained from these activities indicate that the algorithms and associated processes disclosed in the subject application are particularly suited to a wide-range of commercial applications which include seismology, voice/data communications, medical diagnostic processes, and civil radar systems, at least some of which are unclassified applications. Additional applications have been identified but have not been sufficiently evaluated to assess the effectiveness of specific implementations.

3. In furtherance of these activities, COLSA retained the firm of Deloitte & Touche LLP to perform a market analysis and define a technology utilization/licensing strategy for commercialization of the subject invention. Further demonstration of the utility of the subject invention was to be accomplished by post-processing of data obtained from various commercial sources at the COLSA facility without disclosure of the algorithms/processes in order to obtain a quantitative measure of the benefits/advantages of the subject invention and to identify potential methods of implementation.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

4. While, for most applications, it may be preferable to implement the subject invention in a specific hardware/software design configuration to provide real-time signal processing, for some applications, considerable benefits may be obtained by post-processing of data obtained in a suitable format in a controlled environment.

5. In order to further pursue the commercialization of the subject invention applications, it will be necessary to obtain data from various commercial sources for processing at the COLSA facility to demonstrate or verify the benefits achievable by the subject algorithm/process. In obtaining such data, it will not be necessary to disclose any details relating to the processing itself but would be restricted to a "data-in, data-out" activity.

6. In the event that the processing of the data associated with specific commercial applications indicates significant utility and substantial benefits, COLSA could market services as a post-processing facility without disclosure of the subject invention. Alternatively, if further investigations indicate that real-time processing would be more advantageous, effort would be directed to design an implementation utilizing some form of encrypted, executable, imbedded code or non-readable firmware.

At the current time, COLSA is seeking general consent to disclose only the fact that COLSA is in possession of an invention that processes certain signals with demonstrated improvement over prior inventions. COLSA would solicit data from various commercial sources and demonstrate the utility of the subject invention by post-processing the data at the COLSA facility in order to obtain a quantitative measure of

the benefits/advantages of the subject invention and to identify potential methods of implementation without disclosure of the algorithms/processes. Based upon the foregoing, it is respectfully requested that the Secrecy Order be modified to the extent that third parties may be informed of the nature of the subject invention and the results of any demonstration of its applicability without disclosure of the methods or specific processes utilized.

If there are any fees due in connection with the filing of this response, including any fees required for an extension of time under 37 CFR § 1.136, such an extension is requested, and the Commissioner is authorized to charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 2, 2002

By: Linda J. Thayer  
Linda J. Thayer  
Reg. No. 45,681

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com